

## DETAILS ARE INSUFFICIENT

To Make Criminal Charge Said E. N. Smith's Attorneys.

FILED MORTIN TO QUASH

Information When Case Was Called in District Court.

The criminal docket of the district court was called yesterday morning. When the case of the state against E. N. Smith, mayor of El Dorado, on the charge of forging the name of C. O. Boardley to a telegram to Pearl Boardley was called, Adams & Adams, attorneys for the defendant, filed a motion to quash the information. The motion alleges that the information in the complaint under which Mr. Smith was brought into court, was not sufficient to constitute a criminal offense under the law and the defendant's attorneys asked that the complainants make their information more definite.

Judge Dale heard the motion, but set no time for hearing the arguments on it. The case was not assigned on the docket but was postponed indefinitely. Mr. Smith was present in court.

This is the case which grew out of the Jesse Morrison murder trial in El Dorado. It was filed a week ago and the complete history of the case was given in the Eagle at that time. The complaint alleged that Mr. Smith came to this city and sent a telegram to Pearl Boardley, telling him to keep out of the way so that a deputy sheriff could not obtain service on him. Boardley was an important witness for the defense in the trial and the complaint alleges that the telegram was sent that Pearl Boardley could not testify. Mr. Smith was an attorney for the prosecution in the case.

The jury in the district court will not be called until February 2, when the first of the criminal cases will come up. All of the civil cases that are to be tried by a jury will be postponed until the criminal docket is disposed of. During this month Judge Dale will hear the court cases on the docket.

On February 2, the cases of the state against John Goodyear, for carnally knowing, Joseph Dawson, threatening to kill, Joseph Dawson, assault with intent to kill, Albert Lemon, assault; Gus Miller, larceny; John Davis and Wm. Teavenbaugh and Frank Hereford will be called.

On February 2, the cases will be called with the following defendants, Jennie Dandridge, and Lizzie Gardner, Amos Amos Tyler, Teddie Murphy, Ed Orr, and two cases against H. B. Jackson.

The case of the state against Mary Mork for complicity in the murder of her daughter's child, was continued until the next term of court. Kate Mork, the mother of the child, was convicted of the murder over a year ago, but the case against her mother has been continued from time to time. Kate Mork is now serving a sentence in the state penitentiary.

### SOME GAS WAS FOUND.

Winfield's Second Well Is Not Such a Hummer as the First.

The drillers of the gas well at Winfield have struck something. They found a little gas, just how much they will not say, but it is believed not to be of any great amount. The Winfield Courier yesterday had the following to say about the well:

At a depth of about 24 feet gas was struck in the second well being drilled by Rages & Co. east of town. The extent of the flow cannot now be given, on account of the reticence of the drillers, who were not ready today to give the public the status of the find. It is known, however, that gas was struck about 8 o'clock this morning, and from Will H. Bates it was learned that everything had been in readiness to tap the gas pocket Saturday night at quitting time, and that the pocket was tapped this morning. It is claimed by him that the drill penetrated four feet of gas sand and that this was found to be the depth of the strata. The flow it was said, was not satisfactory.

When a press representative visited the well this morning Mr. Bates was asked about the strike, but he said he had nothing to report. Mayor Caton and

### A SOLDIER FOUND

What He Had Looked for for 35 Years.

Many interesting stories are still told by the heroes of the late War of the Rebellion. An old soldier of Morris, Ill., related his experience a short time ago.

"When I enlisted in the war," said he, "I was strong and healthy and physically fit. I was discharged after four years later I only weighed 115 pounds, which was the result of a very bad stomach trouble, contracted while in the army."

"I was treated by medical men for a long time, paying out hundreds of dollars but receiving no permanent benefit. Patent medicines were also highly recommended for dyspepsia and stomach troubles, and I tried a number of them, but got no relief, and in the end was actually worse. I became mentally and physically a wreck, had no energy to do business, and I simply got enough sustenance from my food to keep soul and body together and was in pain and misery constantly."

"While in this condition I met a friend who asked me if I had used Grape-Nuts. I had not, but had used other prepared food and got no relief and so had no confidence in any of them. He continued to urge me to use Grape-Nuts, saying his wife had become so much improved in health by using this particular food."

"So, partly to please him, I bought a package and made my supper that night on Grape-Nuts, fully expecting to suffer all night as the result. To my surprise and great joy it agreed with me perfectly. I had a good appetite for that time on and Grape-Nuts was my only food for the first four months; then I began to partake of other food sparingly. I gained very rapidly, mentally and physically, with energy and force restored, and I also gained in flesh, my weight increasing 55 pounds in about six months. My stomach, from which I had suffered untold misery for 35 years, became perfectly healthy so that I could eat all kinds of food in connection with Grape-Nuts."

"Today I am 52 years old and enjoy good health, and I believe Grape-Nuts to be the best of food products, scientifically prepared so as to contain the greatest amount of nutriment and tonic properties." Name given by Postum Co., Battle Creek, Mich.

several of the councilmen were present but did not have much to say. Mayor Caton, however, gave as his opinion that the flow was not as strong as in the first well.

It is understood to be the intention of the drillers to drill deeper in case the flow does not come up to their expectations.

This well is located on the Harris farm east of Observatory Mound, and is about 250 feet west of the first well, which had been temporarily abandoned on account of a series of accidents attending its casing. The second well was started a little over two weeks ago and is cased to a depth of about 60 feet.

### IS TAKING DEPOSITIONS.

A. E. Heim Getting Ready for the Telephone Fight.

City Attorney A. E. Heim is in Kansas City taking depositions for the city to use in the case of the city of Wichita vs. the Missouri & Kansas Telephone company. Mr. Heim was notified that the company's books would be open to him during this week and the officers of the company would be in Kansas City to give him any facts and figures that he desired to use in the case and which are necessary for the city to have in its arguments.

The depositions which were taken are only those relating to the business of the company that would be brought out in the trial of the case and some of these Mr. Heim and his assistants will use in presenting their case to the court.

The injunction proceedings will be tried in the district court. The case was filed there last summer and a temporary injunction granted. Amended petitions have been filed and the case is now ready for trial. The company tried to have the case removed from the district court to the United States circuit court, and the petition to do this was heard by Judge Dale some time ago. A company declared that there was a federal question involved in the proceedings that would make it necessary to try the case in a federal court. The city's attorneys could not see it that way, and the arguments which they produced convinced Judge Dale that there was no federal question involved, and he refused to allow the case to be taken out of his court until he had made a decision. It is expected that the case will be heard during this term of the district court.

### TAKEN TO RICE COUNTY.

John Ukenna Will Answer Charge of Horse Stealing.

Sheriff Hicks took John Ukenna to Lyons last night to answer the charge of horse stealing. Ukenna was arrested by the police here Monday afternoon. Since his arrest some incidents of his life have appeared that will be of interest to many. John Ukenna has served a number of terms in the penitentiary for minor offenses. He was reared in the south-eastern part of Reno county. When about 7 years old, while his parents were away from home, he took his little 2-year-old sister, placed her in the bucket of the house well and deliberately lowered her into the water. Some hours after this the parents came home and asked where the sister was and the lad replied: "Down in the well." The parents at first would not believe him, but on investigation found the little child still in the bucket, but dead from drowning.

### CHARGE OF HIGHWAY ROBBERY.

Two Men Were Arraigned in City Court Yesterday.

Harry King and George May were taken before Judge Harvey of the city court yesterday and arraigned on the charge of highway robbery. They entered a plea of not guilty and their trial was set for January 12. They were placed under \$500 bond, in default of which they were sent to jail.

These are the men who are charged with holding up and robbing Mr. Hunt near the packing houses last week. They did not have guns, but grabbed their victim, and while one man held him the other went through his pockets. They got but very little money, and within half an hour after the deed was committed both were under arrest.

### IS OUT ON BOND.

S. M. Stevens Will Be Tried on Jan. 14.

S. M. Stevens will have his preliminary hearing for the attempted burning of his wife's store on January 14. When arraigned before Judge Harvey of the city court he entered a plea of not guilty and demanded his preliminary. Judge Harvey placed him under \$1,000 bonds, which Mr. Stevens' father signed and qualified for, and the accused was released. Paul Brown appeared for the defense.

### ARE MOVING THEIR STOCK.

Cox, Johnson & Diamond Getting Ready for Business.

The Cox, Johnson & Diamond Wholesale Dry Goods company are moving their stock into the Baker Building on West Douglas avenue. The company has leased this three-story brick building for a term of years. It will be some time yet before the stock is in place and everything in shape to transact business at the new location. Baker Bros. are moving their goods into the warehouses vacated by the dry goods firm on North Market street.

### NEXT MONDAY EVENING.

Annual Meeting of Commercial Club Will Be Held.

The annual meeting of the Commercial club was not to have been held last Monday evening, but the president, C. G. Colm, is out of the city and will not be here until next Monday. On that date the annual meeting will be held, when the affairs of the club for the past year will be discussed and the officers will be elected. This has been the most prosperous year for the club and there is much business to be taken up and discussed.

### WORK HAS COMMENCED

On Laying the New Gas Mains on North Topeka Avenue.

Yesterday the Wichita Gas and Power company put a force of men to work digging up the old mains and laying new ones on North Topeka avenue. The three-inch mains are to be replaced by the six-inch size. The people on North Topeka avenue will be more than pleased when the new mains are completed as there has been trouble on account of a lack of pressure. The mains will be connected with cross-mains from the power house at different points so that the pressure will be greater and equalized.

### MEXICANS PLEAD GUILTY.

Were Sentenced to Serve Ninety Days in Jail.

Amadeo Pena and Clemente Aragon, the two Mexicans arrested by the police last week for stealing some bacon from the Cudaby Packing company, were taken before Judge Harvey of the city court yesterday. When arraigned both pleaded guilty to the charge and each was given a sentence of ninety days in jail.

## UNDER HEART OF CARNATIONS

Miss Bessie B. Reed and C. H. Hettinger Will be Married.

IN EPISCOPAL CHURCH

Wedding Supper Given at the Home Last Night.

At 11 o'clock this morning will occur the wedding of Miss Bessie Barlow Reed of this city and Mr. C. H. Hettinger of Kansas City. The wedding will take place in the St. John's church. Rev. J. D. Ritchey officiating. The church will be elaborately decorated for the occasion with evergreens, palms and carnations, and a large number of friends and relatives have been invited to witness the ceremony.

The bridal party will consist of the bride and groom; Miss Florence Reed, as maid of honor; Dr. Whittier of Emporia, groom's man; Misses Margie Anner and Aquilla Hettinger, bridesmaids; and Messrs. Given Hagmy and Charles Topping, ushers.

At 11 o'clock, to the music of the wedding march, the bride couple will march up the wide middle aisle of the church to the altar, where, under a heart made of carnations and suspended from a great evergreen arch, the wedding will take place. The impressive Episcopalian ring ceremony will be used.

The bride will be dressed in a neat blue traveling suit and the maid of honor and bridesmaids will wear white. The groom and attendants will be dressed in black. The bride is the attractive and accomplished daughter of Mr. and Mrs. W. A. Reed of St. North Lawrence avenue. She has made this city her home for fifteen years and her personal charms and gentle disposition have endeared her to all who have made her acquaintance. With her departure Wichita loses one of its most popular young ladies.

The groom is a successful young business man of Kansas City, being a member of a wholesale firm of that city. He is very well liked by those who have met him here.

Immediately after the ceremony the happy couple will leave for the east on an extended wedding tour. They will make their home in Kansas City.

Last night a wedding supper was given at the home, 32 North Lawrence, in honor of the bridal party. Two tables were spread, one for the bridal party and one for the friends and relatives present. The decorations were beautiful. At the table for the bridal party the light was furnished by candles in large silver candlesticks, while the table was spread with cut glass and silver. In the center of the table stood a large vase filled with beautiful bride's roses and surrounded with smilax. The table for the guests was also beautifully decorated, but with carnations. An elegant supper was served in courses.

### SOME HELP IS NEEDED

To Assist Woman With Six-Months-Old Baby.

Yesterday a case of poverty came to the notice of Mrs. Shields that can be eliminated by some one giving members of the family some work. A woman with a 6-months-old child lives in one room in a brick building. She has a daughter who works for \$2.50 per week. Two dollars of this amount goes to pay the room rent. There is a 12-year-old boy in the family who does not swear or use tobacco and who is very anxious to help support his mother. This lad has been staying with an uncle in Oklahoma, but when he heard of his mother's circumstances he walked all the way to Wichita to assist her but he cannot find a job. Mrs. Shields has tried to get him a position, but so far has failed, and the family is in such circumstances that they must soon depend on the county for something to eat, while this would not be necessary if the able-bodied children could find work.

### MISS PETERSON HAS RESIGNED

Her Position as Superintendent of the Wichita Hospital.

Miss Peterson has resigned her position as superintendent of the Wichita hospital, and after a few days spent in visiting the hospitals of Kansas City will go to her home in St. Louis to continue her work. Miss Peterson has been a very efficient head of the hospital and her executive ability has done much toward placing the hospital on a firm basis.

She is to be succeeded by Miss Parnsworth of Kansas City. Miss Parnsworth has had much experience in hospital work and comes highly recommended in her chosen profession.

Sam Goldstein was shaking hands with friends in Wichita yesterday. He is engaged in the wholesale hat business at Kansas City, and doing a satisfactory business, but says Wichita still seems like home to him, and was surprised at the many fine, new business blocks and evidences of prosperity in the Peerless building.



### Itching Skin

Warm baths with CUTICURA SOAP and gentle applications of CUTICURA OINTMENT, cure of eczema, and greatest of skin cures, constitute the purest, sweetest, most speedy and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours of infants and children yet compounded.

Sold throughout the world.

## YOU JUST TELL US

If there's any use in letting that little fellow go around in that suit you bought him a way last fall—it must look old and worn by this time—when we're selling such desirable Suits for him at such little prices.

Our \$5.00 Suits, Norfolds, in the best of fabrics, now.....\$3.85

Our \$3.50 Suits, in pretty chevrons and cassimeres, now.....\$2.85

Our \$3.00 Suits, well made, neat and attractive, now.....\$2.35

And they're all brand new, that's the beauty of it. You won't come here only to be disappointed. They're extraordinary good values because they couldn't have been duplicated at the regular price. We're certain that you can't overlook these if he has the least need of a New Suit. We're selling Overcoats for little fellows at reduced prices, too.

### Herman & Hess

Where Quality Counts.

## "THE HUB"

CHARLES YOUNGHEIM.  
Wichita's New One-Price Clothing Store.  
114 North Main Street



## During Our Clearance Sale

Choose from our immense stock of BOYS' SUITS and OVERCOATS any garment you may wish and DEDUCT ONE-QUARTER of the full amount. Such is one of the big inducements of this sale. All goods marked in plain figures.

### Today's Flyer No. 1

20 Dozen Good Strong Web Suspenders, in neat clean patterns; regular 2-cent grade. Today only, pair.....19c

### Today's Flyer No. 2

Boys' Knee Pants; no reserve, all stock included for this big one day sale. Scotch mixtures, chevrons, etc., dark colors; 2c regular. Today.....37c

UNDERWEAR BUYERS save 30 per cent on Heavy Piece Lined Underwear today. Choice big variety 50c underwear all day, garment.....35c

Sole Agents Luther's Hand-Made Glove. Special attention given to Mail Orders.

## CLEANSWEEP

## ...SALE...

Will open next Saturday, January 10th, 1903, and continue until the

## Fulton Stock is Closed Out

We will make a clean sweep. To do so quickly we will

## Sell at Half Price

Come and pay us one-half Fulton's plain-figure prices and take the goods.

## FULTON'S OLD STAND

30% The Only Original Money-Saving Sale is the 30%

## DUMP SALE

You'll Save 30 Per Cent

## GOLDEN EAGLE

30% Wichita's Greatest Money-Saving Clothing Store 30%

## Where Did I Get Those Swell Shoes?

I wonder how many people have asked me that question, and I don't blame them. If they knew how cheap I got them and how comfortable and stylish they are, they would not be long in getting a pair. Where did I get them? At 144 North Main. There are barrels of bargains at the

## Clearance Sale SPEER'S

Successor to MORRIS & SPEER, 144 North Main.

Phone 144.

## SM The 5 and 10 Cent Store

"Old Uncle Billy," an old-time Darkey Melody, copy, 10c

12c Ginghams, Per Yard, 10c

100 pieces of Red Seal, Double Fold, Zephyr Ginghams, in dainty checks, stripes and plaid patterns, all 1903 productions. We are exclusive distributors in Wichita for this brand of Ginghams and at the very beginning of the season offer them at cut prices; per yard.....10c

7c Percales, Yard, 5c

100 pieces of 3-4 Percale, in medium light shirt waist stripes. This is one of the best brands of Percales made and the colors are guaranteed absolutely fast. As long as they last you buy them at the S. & M., per yard 5c

Ladies' Herringbone Fleece Flannellette Kimona 95c each

Ladies' Blue and Pink Dressing Jacques made of daisy cloth; \$1 value each.....69c

### A New Line of Wool Walking and Dress Skirts

Today we place on sale an entire new line of Wool Walking and Dress Skirts. They come in black, blue, dark and oxford gray; have slot seams, are trimmed with tabs and buttons, some have rows of taffeta ribbon cuffbands and abovehips. Note these prices:

\$1.98, \$2.49, \$5.00, \$6.50, \$7.50



25... Per Cent Discount on All Furs



Dry Glove Cleaner Per Cake, 10c

McCall Magazine, February Number, copy.....10c  
McCall's Patterns for February now on sale, each 10c and.....15c  
McCall's Bazar Dress Maker, copy.....10c  
Fashion Sheets Free.

### The January Sale

Of Winter Underwear continues today. Read over our list.

Men's 50c Underwear.....39c  
Men's 98c Underwear.....77c  
Ladies' 50c Underwear.....38c  
Ladies' 25c Underwear.....19c  
Ladies' 98c Underwear.....77c  
Children's 25c Underwear.....19c  
Children's 50c Underwear.....38c

Men's Work Shirts, Overalls and Jumpers at a discount, 50c values, each.....38c

## SM THE SCHMITT AND MARTIN'S MERC. CO. SM

5 AND 10 CENT STORE  
207-209 E. DOUGLAS AVE. WICHITA, KAS.